

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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2004 OCT -6 P 3:16

BRANDON ASSOCIATES, LLC
Plaintiff

v.

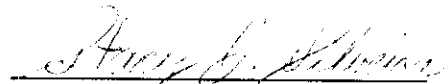
FAILSAFE AIR SAFETY SYSTEMS
CORP., BLUE SAGE CONSULTING,
INC., ELCON MEDICAL,
DEBRA ESPE, ALAN FEUERSTEIN
Defendants

U.S. DISTRICT COURT
DISTRICT OF MASS.
CIVIL ACTION

NO. 04 12013NMG

AFFIDAVIT

I, Stacy Silveira, hereby submit that I served the Summons and Verified Complaint and Action to Reach and Apply, originally filed in Massachusetts Superior Court, upon the defendant FailSafe Air Safety Systems Corp. (Paul Chirayath, President), by United States Postal Service Express Mail in accordance with Massachusetts Rules of Civil Procedure Rule 4(e)(3) and in accordance with the terms of the Contracts (Exhibits A & B of the Verified Complaint) in which both Parties consented to "exclusive personal jurisdiction" of the courts of the Commonwealth of Massachusetts and to "service of process by certified mail or national overnight carrier."



Stacy J. Silveira, Esq.
BBO No. 650675
General Counsel
Brandon Associates, LLC
160 Commonwealth Avenue
Boston, MA 02116
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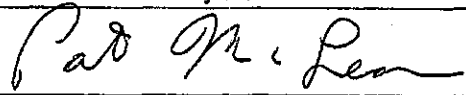
Dated: October 6, 2004



Date: 09/13/2004

STACY J. SILVEIRA:

The following is in response to your 09/13/2004 request for delivery information on your Express Mail item number ER41 7134 841U S. The delivery record shows that this item was delivered on 09/10/2004 at 10:56 AM in TONAWANDA, NY 14150 to P MC LEAN. The scanned image of the recipient information is provided below.

Signature of Recipient: Delivery Section

PAT MC LEAN

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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

CERTIFICATE OF SERVICE

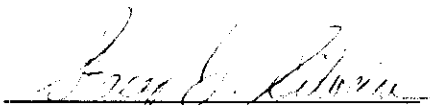
I hereby certify that a true copy of the above document was served upon the attorney of record, listed below, for each party by placing the enclosed documents in the United States mail on October 6, 2004.

For FailSafe Air Safety Systems Corp., ElCon Medical,
Debra Espe, and Alan R. Feuerstein, to their attorneys:

Laurie M. Ruskin, Esq.
Kenneth A. Sweder, Esq.
Sweder & Ross LLP
21 Custom House Street, Suite 300
Boston, MA 02110

For Blue Sage Consulting, to its attorney:

Robert N. Wilson, Esq.
The Law Office of Robert Wilson
39 Main Street
Ayer, MA 01432



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